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**FILED**

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District Of Montana  
Missoula Division

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
(MISSOULA DIVISION)

**CENTER FOR BIOLOGICAL  
DIVERSITY, et al.,**

Plaintiffs,

vs.

**DEB HAALAD, et al.,**

Defendants;

and

Lead Case No. CV 20-181-M-DWM

Member Case No. CV 20-183-M-DWM

**MOTION TO INTERVENE AS  
PARTY-DEFENDANTS, OR IN  
THE ALTERNATIVE, TO  
APPEAR AS *AMICUS CURIAE***

**STATE OF IDAHO**, an Idaho  
nonprofit corporation;

Defendant-Intervenor;

and

**IDAHO STATE SNOWMOBILE  
ASSOCIATION, INC.**, an Idaho  
nonprofit corporation; **IDAHO  
RECREATION COUNCIL, INC.**, an  
Idaho nonprofit corporation;  
**COLORADO SNOWMOBILE  
ASSOCIATION**, a Colorado nonprofit  
organization; **BACKCOUNTRY  
SLED PATRIOTS**, a Montana  
nonprofit organization; **CITIZENS  
OFR BALANCED USE**, a Montana  
nonprofit organization; **UNITED  
SNOWMOBILE ALLIANCE**, a New  
Hampshire nonprofit organization;  
**AMERICAN COUNCIL OF  
SNOWMOBILE ASSOCIATIONS**, a  
Michigan nonprofit organization; **OFF  
ROAD BUSINESS ASSOCIATION**,  
a California nonprofit organization;  
**COLORADO OFF HIGHWAY  
VEHICLE COALITION**, a Colorado  
nonprofit organization; **TRAILS  
PRESERVATION ALLIANCE**, a  
Colorado nonprofit organization;  
**UNITED FOUR WHEEL DRIVE  
ASSOCIATION**, a California  
nonprofit organization;  
**CLEARWATER COUNTY BOARD  
OF COMMISSIONERS**, a political  
subdivision of the State of Idaho;  
**IDAHO COUNTY BOARD OF  
COMMISSIONERS**, a political  
subdivision of the State of Idaho;

**BONNER COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Idaho;  
**VALLEY COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Idaho;  
**ADAMS COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Idaho;  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Montana;  
**MINERAL COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Montana;  
**RAVALLI COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Montana;

Applicants for Intervention.

**COME NOW** the Applicants for Intervention – **IDAHO STATE SNOWMOBILE ASSOCIATION, INC.**, an Idaho nonprofit corporation; **IDAHO RECREATION COUNCIL, INC.**, an Idaho nonprofit corporation; **COLORADO SNOWMOBILE ASSOCIATION**, a Colorado nonprofit organization; **BACKCOUNTRY SLED PATRIOTS**, a Montana nonprofit organization; **CITIZENS OFR BALANCED USE**, a Montana nonprofit organization; **UNITED SNOWMOBILE ALLIANCE**, a New Hampshire nonprofit organization; **AMERICAN COUNCIL OF SNOWMOBILE ASSOCIATIONS**, a Michigan nonprofit organization; **OFF ROAD BUSINESS ASSOCIATION**, a California

MOTION TO INTERVENE AS PARTY-DEFENDANTS, OR IN THE ALTERNATIVE, TO APPEAR AS *AMICUS CURIAE* – Page 3

nonprofit organization; **COLORADO OFF HIGHWAY VEHICLE COALITION**, a Colorado nonprofit organization; **TRAILS PRESERVATION ALLIANCE**, a Colorado nonprofit organization; **UNITED FOUR WHEEL DRIVE ASSOCIATION**, a California nonprofit organization; **CLEARWATER COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Idaho; **IDAHO COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Idaho; **BONNER COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Idaho; **VALLEY COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Idaho; **ADAMS COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Idaho; **LINCOLN COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Montana; **MINERAL COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Montana; **RAVALLI COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Montana – (herein “Applicants”), by and through their attorneys of record, Monforton Law Offices, PLLC and Sawtooth Law Offices, PLLC, and, **PURSUANT TO** Rule 24(a) and 24(b) of the **FEDERAL RULES OF CIVIL PROCEDURE**, **HEREBY MOVE THE COURT** for entry of an Order permitting the Applicants to intervene in the above-titled action as party-defendants, or in the alternative, to appear as amicus curiae.

Good cause and proper grounds exist for entry of the relief requested by this Motion by reason of the facts, circumstances and legal principles set forth in the *Declaration in Support of Motion to Intervene as Party-Defendants, or in the Alternative, to Appear as Amicus Curiae* and the *Memorandum in Support of Motion to Intervene as Party-Defendants, or in the Alternative to Appear as Amicus Curiae*, which are filed herewith. Further, notice is hereby provided that if the requested intervention is granted, Applicants intend to file an *Answer* as its initial pleading in the form and substance of that submitted herewith as **Exhibit A**.

Pursuant to Local Rule 7.1(c), counsel of record for the Plaintiffs, Defendants and Intervenor State of Idaho were contacted regarding this motion. Counsel for Plaintiffs and Federal Defendants stated that they take no position until they have an opportunity to review Applicants' motion to intervene and they may file a response to the same. Counsel for Intervenor State of Idaho stated that it would not oppose Applicants' motion to intervene.

The undersigned certifies that this Motion, and supporting documents, is being served upon the existing parties to this action, at the time of filing, pursuant to Rule 5 of the FEDERAL RULES OF CIVIL PROCEDURE.

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Oral argument on this Motion is not requested.

**DATED** this 30<sup>th</sup> day of August, 2021.

MONFORTON LAW OFFICES, PLLC

by: /s/ Matthew G. Monforton  
Matthew G. Monforton

SAWTOOTH LAW OFFICES, PLLC

by: /s/ David P. Claiborne  
David P. Claiborne



**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served on the following on this 30<sup>th</sup> day of August, 2021, by the following method:

**AMANDA DALMENDRAY GALVAN**

**TIMOTHY J. PRESO**

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